

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tanya Lynn Boyd,

File No. 18-cv-01900 (ECT/TNL)

Petitioner,

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

v.

Warden Barnes,

Respondent.

Petitioner Tanya Lynn Boyd (“Boyd”) commenced this action *pro se* by filing a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Pet. [ECF No. 1]; *see also* Pet’r’s Resp. to Ct.’s Order [ECF No. 3]; Pet’r’s Supp. Resp. to Ct.’s Order [ECF No. 5]. The case is before the Court on a Report and Recommendation [ECF No. 6] issued by Magistrate Judge Tony N. Leung. Magistrate Judge Leung recommends dismissing Boyd’s petition without prejudice for lack of subject-matter jurisdiction. R&R at 7. Boyd filed objections to the Report and Recommendation. ECF No. 15. In response to Boyd’s objections, Respondent filed a very short pleading confirming Respondent’s view that the Report and Recommendation “should be adopted in its entirety.” ECF No. 16. Because Boyd has objected, the Court is required to review the Report and Recommendation *de novo* pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b)(3). The Court has undertaken that *de novo* review and has concluded that Magistrate Judge Leung’s analysis and conclusions are correct.

Therefore, based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED** that:

1. The Objections to the Report and Recommendation are **OVERRULED** [ECF No. 15];
2. The Report and Recommendation [ECF No. 6] is **ACCEPTED** in full;
3. The action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 8, 2018

s/ Eric C. Tostrud
Eric C. Tostrud
United States District Court